

AMENDED
APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAR 30 2004

Returned to applicant for correction APR 14 2004

Corrected application filed APR 21 2004

Map filed APR 27 2004

The applicant **Hawthorne Army Depot** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.) **Applicant is an entity of the federal government.**

1. The source of the proposed appropriation is **underground**
2. The amount of water applied for is **0.003** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **other (environmental control purposes)**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks") **Environmental Bioremediation**
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **UTM 11 362933 E 4268989N within the NW¼, NW¼, Section 18, T8N, R31E M.D.B.&M. from which BM 107 on the reference map located at 11362623E, 4269017N (see accompanying map) bears N 84°50'20" W, a distance of 1,021 linear feet.**
6. Place of Use **NW¼ NW¼, Section 18, T8N, R31E, M.D.B.&M. (see above).**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Water will be extracted via downhole submersible pump and stored in above ground 10,300 gallon tank awaiting disposal via bioremediation.**
9. Estimated cost of works **\$100,000**
10. Estimated time required to construct works **1 year**
11. Estimated time required to complete the application of water to beneficial use **duration of the required remediation (minimum of 5 years).**
12. Remarks: **Groundwater to be extracted for biocomposting treatment of contaminated soils located at the Hawthorne Army Depot, Hawthorne Nevada. Authorization for extraction well outlined in a letter from NV Division of Environmental Protection dated June 11, 2003.**

Robert F. Lauder
By s/Robert F. Lauder
611 N. Nevada Street
Carson City, NV 89703

Compared cmf/sam ag/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This environmental permit is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water granted herein at any and all times.

This permit is issued pursuant to the provisions of NRS 533.4375. Well drillers reports for any well(s) drilled under this permit shall be filed within 30 days from the completion of the well.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer of such completion and all wells shall be plugged and abandoned in accordance with Chapter 534 of the Nevada Administrative Code.

This environmental permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this environmental permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.003** cubic feet per second, **but not to exceed 2.17 acre-feet annually**

Work must be prosecuted with reasonable diligence and be completed on or before:

*

Proof of completion of work shall be filed on or before:

*

Water must be placed to beneficial use on or before:

*

Proof of the application of water to beneficial use shall be filed on or before:

*

Map in support of proof of beneficial use shall be filed on or before:


*

* The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 9th day of June, A.D. 2004


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____